

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GERALD ANDREWS	:	
<i>Plaintiff,</i>		
v.		
KNIGHT, <i>Philadelphia Corrections Officer</i>		
<i>Sergeant, individually and in his official capacity;</i>	:	
FREDRICKS, <i>Philadelphia Corrections Officer,</i>		CIVIL ACTION
<i>individually and in his official capacity;</i>		NO. 17-0962
SEAGRAVES, <i>Philadelphia Correction Officer,</i>	:	
<i>individually and in his official capacity; HOBER,</i>		
<i>Philadelphia Corrections Officer, individually and</i>		
<i>in his official capacity; YOUNG, Philadelphia</i>	:	
<i>Correction Officer, individually and in his official</i>		
<i>capacity; WALKER, Philadelphia Correction</i>		
<i>Officer, individually and in his official capacity;</i>	:	
CITY OF PHILADELPHIA; CAPT. RAHMAN;		
CO1 BLAIR; CAPT. LOVE; CAPT. GRAY;		
CO1 JEFFERSON; CO1 DOTSON; MAJOR	:	
MARTIN; CO1 MULVENNA; MAJOR MAY;		
CO1 BUTLER; LOUIS GIORLA; and,		
CAPT. JOHNSON	:	
<i>Defendants.</i>		

ORDER

AND NOW, this 7th day of November 2022, upon consideration of: Defendants Love, City of Philadelphia, Dotson, Giorla, Knight and Martin's Motion for Partial Summary Judgment (ECF No. 91); Plaintiff's Opposition thereto (ECF No. 96); and, Defendants' Reply (ECF No. 98), it is hereby ORDERED as follows:

- (1) Defendants' Motion is GRANTED as to Count I of Plaintiff's Second Amended Complaint with respect to individual Defendants Giorla, Dotson, Martin and Love;
- (2) Defendants' Motion is GRANTED as to Count II against Defendants Giorla and Dotson but DENIED as to Defendants Knight, Martin and Love;

- (3) Defendants' Motion is GRANTED as to Counts III and IV as to all Defendants;
- (4) Defendants City and Giorla's Motion is DENIED as to Count V;
- (5) The parties shall contact Magistrate Judge Lynne A. Sitarski to schedule a settlement conference to be held within forty-five (45) days of the date of this Order;¹ and,
- (6) Within two (2) weeks of the settlement conference, the parties shall provide this Court with a jointly prepared written status report.

BY THE COURT:

/s/ C. Darnell Jones, II J.

¹ Said report shall inform the court as to whether the parties would be amenable to continuing their settlement efforts with Judge Sitarski or participating in the Court-Annexed Mediation Program at no cost to either side. A list of approved mediators participating in the Program may be found at: <http://www.paed.uscourts.gov/documents2/mediation>.